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March 23, 2023

BY ECF

The Honorable Lorna G. Schofield
United States District Court for the Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

Re: McKoy, et al. v. The Trump Corp., et al., No. 18 Civ. 9936

Dear Judge Schofield:

We write on behalf of Plaintiffs to follow up on Defendants' letter of today's date (ECF 546) concerning trial scheduling issues in this case and the case brought against Defendants by the New York Attorney General. *See People of the State of New York v. Donald J. Trump, et al.*, Index No. 452564/2022 (Sup. Ct. N.Y. Cnty.) (Engoron, J.) (the "NYAG case").

We refer Your Honor to page 8 of the enclosed transcript from the hearing held earlier this week in the NYAG case where Justice Engoron said the following:

Another troubling aspect of this case is the role of certain defendants' counsel in the Southern District of New York case captioned Catherine McKoy, M-c-K-O-Y, et al., versus the Trump Corporation, et al., and asking Judge Lorna G. Schofield to delay the trial of that case until early 2024, so as not to conflict with this case. Accordingly, she set a firm trial date of January 29, 2024. Some of the state counsel are now asking this Court to delay this Court -- this case, in particular, the trial thereof, until early 2024, which would conflict with a trial of that case, which would occasion time-consuming negotiations, and necessitate the further delay of one case or the other as defendants might hope, both, in a domino effect. One case delays the other which delays the next. Judges respect each other's prerogatives and disingenuously playing one judge against another is disrespectful and evinces bad faith.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Roberta', with a stylized flourish extending to the right.

Roberta A. Kaplan

cc: Counsel of Record (via ECF)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK - CIVIL TERM - PART 37

-----X
PEOPLE OF THE STATE OF NEW YORK,
by LETITIA JAMES,
Attorney General of the State of New York,

Plaintiff,

-against-

Index No.
452564/22

DONALD J. TRUMP, DONALD TRUMP, JR.,
ERIC TRUMP, IVANKA TRUMP, ALLEN
WEISSELBERG, JEFFREY MCCONNEY,
THE DONALD J. TRUMP ORGANIZATION, INC.,
TRUMP ORGANIZATION LLC, DJT HOLDINGS
LLC, DJT HOLDINGS MANAGING MEMBER,
TRUMP ENDEAVOR 12 LLC, 401 NORTH
WABASH VENTURE LLC, TRUMP OLD POST
OFFICE LLC, 40 WALL STREET LLC, and
SEVEN SPRINGS LLC,

Defendants.

-----X
Motion New York, New York
March 21, 2023

B E F O R E:

HONORABLE ARTHUR ENGoron,

JUSTICE.

A P P E A R A N C E S:

STATE OF NEW YORK
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16 HOLDINGS MANAGING MEMBER LLC, TRUMP
17 ENDEAVOR 12 LLC, 401 NORTH WABASH VENTURE LLC,
18 TRUMP OLD POST OFFICE LLC, 40 WALL STREET LLC
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VINCENT J PALOMBO
OFFICIAL COURT REPORTER

* * *

Proceedings

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1 Another troubling aspect of this case is the role
2 of certain defendants' counsel in the Southern District of
3 New York case captioned Catherine McKoy, M-c-K-O-Y, et al.,
4 versus the Trump Corporation, et al., and asking Judge Lorna
5 G. Schofield to delay the trial of that case until early
6 2024, so as not to conflict with this case.

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8 January 29, 2024.

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10 to delay this Court -- this case, in particular, the trial
11 thereof, until early 2024, which would conflict with a trial
12 of that case, which would occasion time-consuming
13 negotiations, and necessitate the further delay of one case
14 or the other as defendants might hope, both, in a domino
15 effect. One case delays the other which delays the next.

16 Judges respect each other's prerogatives and
17 disingenuously playing one judge against another is
18 disrespectful and evinces bad faith.

19 The final troubling aspect has three related parts.
20 First, according to plaintiff, defendants are subpoenaing
21 third parties and asking whether these third parties are
22 aware of other investigations of defendants. The harm that
23 this could cause is fairly self-evident. Targets of
24 investigations could be tipped off prematurely and unfairly.

25 Second, the subject matter of these questions would